

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS**

MARY LALIBERTE, et al.,

Plaintiffs,

v.

QUANTA SERVICES, INC., et al.,

Defendants.

Case No. 4:22-cv-03290

PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE EXPANDED BRIEFING

Plaintiffs Mary Laliberte and Marie McKnight (collectively, "Plaintiffs") hereby respectfully move the Court for an order permitting their forthcoming brief in opposition to Defendants' motion to dismiss to exceed the default page limit and comprise 25 pages (inclusive of the case style, any table of contents or authorities, and signature block). In support thereof, Plaintiffs state as follows:

1. Plaintiffs filed the Complaint in this matter on September 26, 2022 (ECF No. 1). On December 13, 2022, Defendants moved to dismiss Plaintiffs' Complaint (ECF No. 32).¹
2. Before filing their motion to dismiss, Defendants sought and the Court entered an Order (ECF Nos. 26, 27) enlarging the page limit applicable to Defendants' brief in support of their motion to dismiss of up to 25 pages (inclusive of the case style, any table of contents or

¹On December 20, 2022, the Court entered an Order (ECF No. 35) striking Defendants' motion to dismiss, citing as grounds for striking the document non-compliance with Rule B.5 of the Court's Procedures and Practices. As described herein, prior to filing their motion to dismiss, Defendants sought and received leave to file extended briefing (ECF Nos. 26, 27). Defendants' counsel contacted the Court for guidance about the Court's Order striking their motion to dismiss. On December 30, 2022, Defendants re-filed their motion to dismiss (ECF No. 36). While Plaintiffs contacted Defendants' counsel to request their consent to this Motion before Defendants re-filed their motion to dismiss, Plaintiffs awaited resolution of any issues concerning the length of Defendants' motion to dismiss before filing this Motion.

authorities, and signature block). Plaintiffs did not oppose Defendants' request. Defendants' operative brief in support of their motion to dismiss (ECF No. 36) totals 25 pages.

3. Despite good faith efforts to comply with the page limits set by the Local Rules and the Court's Practices and Procedures, Plaintiffs have determined that a full and fair exposition of her arguments will require an enlarged opposition brief in excess of 20 pages, particularly in light of the enlargement of Defendants' brief to 25 pages. Plaintiffs submit that a brief of 25 pages will provide the Court with adequate briefing from which to make an informed decision on the motion to dismiss.

4. Plaintiffs' counsel contacted Defendants' counsel to discuss this motion, and Defendants' counsel indicated that Defendants do not object to this request.

WHEREFORE, Plaintiffs respectfully request that the Court grant this motion and permit Plaintiffs to file a brief in support of her opposition to Defendants' motion to dismiss of up to 25 pages (inclusive of the case style, any table of contents or authorities, and signature block).

Dated: January 3, 2023

Respectfully submitted,

/s/ John S. Edwards, Jr.

John S. "Jack" Edwards, Jr.

Texas Bar No. 2404851

S.D. Tex. No. 38095

Thomas R. Ajamie

Texas Bar No. 00952400

S.D. Tex. No. 6165

AJAMIE LLP

Pennzoil Place – South Tower

711 Louisiana Street, Suite 2150

Houston, Texas 77002

Telephone: (713) 860-1600

Facsimile: (713) 860-1699

Email: jedwards@ajamie.com

tajamie@ajamie.com

James E. Miller (admitted *pro hac vice*)
Laurie Rubinow (admitted *pro hac vice*)
MILLER SHAH LLP
65 Main Street
Chester, CT 06412
Telephone: (866) 540-5505
Facsimile: (866) 300-7367
Email: jemiller@millershah.com
lrubinow@millershah.com

James C. Shah (admitted *pro hac vice*)
Alec J. Berin (admitted *pro hac vice*)
John C. Roberts (admitted *pro hac vice*)
MILLER SHAH LLP
1845 Walnut Street, Suite 806
Philadelphia, PA 19103
Telephone: (866) 540-5505
Facsimile: (866) 300-7367
Email: jcshah@millershah.com
ajberin@millershah.com
jcroberts@millershah.com

Mark K. Gyandoh (admitted *pro hac vice*)
CAPOZZI ADLER, P.C.
312 Old Lancaster Road
Merion Station, PA 19066
Telephone: (610) 890-0200
Facsimile: (717) 233-4103
Email: markg@capozziadler.com

Donald R. Reavey (admitted *pro hac vice*)
CAPOZZI ADLER, P.C.
2933 North Front Street
Harrisburg, PA 17110
Telephone: (717) 233-4101
Facsimile: (717) 233-4103
Email: donr@capozziadler.com

*Attorneys for Plaintiffs, the Plan, and
the Proposed Class*

CERTIFICATE OF SERVICE

I certify that, on January 3, 2023, a true and correct copy of the foregoing document was served via the Court's ECF/CM e-filing system to all counsel of record who are deemed to have consented to electronic service.

/s/ John S. "Jack" Edwards, Jr.
John S. "Jack" Edwards, Jr.